



U.S. Department of Justice

*United States Attorney
Southern District of New York*

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January 29, 2024

Via ECF

Honorable Dale E. Ho
United States District Court
Southern District of New York
40 Foley Square
New York, New York 10007

Re: *Knight First Amendment Institute at Columbia Univ. v. U.S. Dep't of State et al.*,
22 Civ. 3003 (DEH)

Dear Judge Ho:

This Office represents defendants the U.S. Department of State ("State"), the U.S. Department of Homeland Security ("DHS"), and the Office of the Director of National Intelligence ("ODNI"; collectively with State and DHS, "Defendants" or the "Agencies") in the above-referenced case brought by plaintiff Knight First Amendment Institute at Columbia University ("Plaintiff") pursuant to the Freedom of Information Act, 5 U.S.C. § 552.

I write respectfully to provide a status update pursuant to the Court's order dated November 29, 2023. *See* Dkt. No. 40.¹ As stated in Defendants' previous status updates, State has completed its production of records that were subject to consultations. *See* Dkt. Nos. 34, 36, 39. DHS received a response to the last remaining consultation (2 pages) and issued a final response to Plaintiff on January 22, 2024.

With regard to ODNI, seven documents remain pending consultation with DHS. DHS has responded with regard to a subset of the documents, but that response required follow-up discussions that are ongoing. Once ODNI receives responses and resolves any follow-up questions, it will issue a response to Plaintiff on those two documents within 14 days.

Pursuant to the Court's order dated September 28, 2022, the Agencies will provide another status update in 60 days. If all outstanding consultation requests are completed and responses issued to Plaintiff before that date, Defendants respectfully propose to provide a status report to the Court within 14 days of the issuance of the final response.

¹ This matter was reassigned to Your Honor on October 15, 2023. Pursuant to the Court's order dated October 17, 2023, Dkt. No. 38, Defendants have continued to proceed pursuant to the schedule previously set by Judge Failla, to whom the case was previously assigned.

Thank you for your consideration of this matter.

Respectfully submitted,

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cc: Counsel of record (via ECF)